

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

\_\_\_\_\_  
DONESIQUE REYNOLDS,

Petitioner,

v.

TIMOTHY HALL,

Respondent.  
\_\_\_\_\_

Civil Action No. 04-11442-PBS

**MOTION TO ENLARGE THE TIME  
FOR FILING A RESPONSIVE PLEADING**

The respondent, Timothy Hall, Superintendent of Old Colony Correctional Center, through counsel, respectfully moves this Court to enlarge the time in which to file an answer or other responsive pleading to the above-captioned petition for writ of habeas corpus to November 18, 2004.

As grounds therefor, the respondent's attorney states:

1. Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts requires the respondent to answer each allegation of the complaint and state whether the petitioner has exhausted state remedies including post-conviction actions. The Rule also requires that the respondent indicate what transcripts or parts of state court proceedings are available.

2. To this end, the respondent's attorney has requested the record of the petitioner's state court proceedings from the legal counsel's office of the Massachusetts Department of Correction.. The office must locate the files, duplicate the records and transmit a copy to the Attorney General's Office. These are time-consuming tasks which DOC staffers must fit into

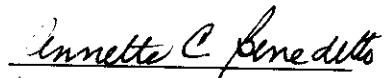
their regular pressing duties. Additional time is needed to review the documents when they arrive, to research relevant issues and to draft an appropriate response to the petition.

3. In addition, the respondent's attorney is responsible for numerous post-conviction cases which include more than twenty-five federal habeas corpus petitions as well as direct criminal appeals, new trial motions, civil rights litigation and parole and probation matters.

WHEREFOR, the respondent respectfully moves this Court to enlarge the time for filing an answer or other responsive pleading in the above-captioned petition to November 18, 2004.

Respectfully submitted,


THOMAS F. REILLY  
ATTORNEY GENERAL

  
Annette C. Benedetto  
Assistant Attorney General  
Criminal Bureau  
One Ashburton Place  
Boston, Massachusetts 02108  
(617) 727-2200  
BBO No. 037060

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the attached motion and notice of appearance was served upon the petitioner pro se at the address below by first class mail, postage pre-paid, on October 4, 2004.

Donesique Reynolds, pro se  
Old Colony Correctional Center  
One Administration Road  
Bridgewater, MA 02324

  
Annette C. Benedetto  
Assistant Attorney General